

REMARKS

This Amendment submits proposed drawing corrections to Fig. 1 and amends claims 1, 3, 6, 10, 11, 16, 17, 19, and 20 in accordance with the original disclosure. Support for the claim amendments is found, for example, in the specification at page 1, paragraph 3; page 1, paragraph 6; page 3, paragraph 17; and page 6, paragraph 27. Support for the proposed drawing corrections is found, for example, in the specification at paragraph 18 spanning pages 3 and 4. Claims 1-21 remain in this application.

Objection to the Drawings

The drawings stand objected to for not including reference symbol 19. As required by the Examiner, Applicant submits herewith a drawing sheet showing proposed drawing corrections in red ink to Fig. 1 to add reference symbol 19, as well as reference symbol 21. Reference symbols 19 and 21 are discussed in the specification at paragraph 18. Approval of the proposed drawing corrections is respectfully requested.

Rejections Under 35 U.S.C. § 112

Claims 3, 10, 16, 19, and 20 stand rejected for indefiniteness for the use of the term "punching bag-shaped". The Examiner contends that the phrase "bag-shaped" is vague and indefinite. While Applicant believes one of ordinary skill in the art in reading the specification and reviewing the drawings would clearly understand the meaning of this phrase, Applicant has amended the claims to change the term "punching bag-shaped" to simply "punching bag". Reconsideration of the rejections under 35 U.S.C. § 112 is respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1-10 and 19-21 stand rejected for anticipation by U.S. Patent No. 5,733,193 to Allard et al. (hereinafter "Allard"). In view of the above amendments and the following remarks, reconsideration of these rejections is respectfully requested.

Independent claim 1, as amended, is directed to a method of relieving computer-related workplace stress for the operator of a workplace computer system. The method includes connecting a stress relief device to a computer component of a workstation computer system. The stress relief device comprises a support and a contact element connected to the support. The method further includes striking or squeezing the contact element to relieve workplace stress.

Allard is directed to a boxing arcade game allowing a player to strike or hit an object to score points or achieve a goal during the game (Allard at column 1, lines 6-9). In the Allard arcade game, a player repeatedly strikes a punching bag 34 to cause the bag to swing and impact a platform 42. The impacts are counted and a player's score is determined by the number of times the bag contacts the platform (Allard at column 4, lines 27-33 and 54-67). The front panel section 12 of the Allard device includes a coin deposit slot 18 for a player to insert coins, and a ticket dispenser 22 to award the player tickets based on the final score of the game. The bag 34 is suspended from an adjustable frame to accommodate players of different height and is lowered to a playing position during a game and retracted when a game is over so that the punching bag may not be used between games (Allard at the Abstract). In one embodiment, the Allard device includes a display screen for displaying the visual image of an opponent that can be updated in accordance with the strikes from the player on the punching bag (Allard at the Abstract).

As clearly and specifically stated in Allard, the Allard boxing game is specifically directed to the field of arcades or gaming environments. Allard does not teach or

suggest a method of relieving computer-related workplace stress, as claimed in claim 1. On the contrary, the Allard arcade game is completely unrelated to conventional workstations or workplace computer systems. Allard does not teach or suggest connecting a stress relief device to a computer component of a workstation computer system. Additionally, Allard does not teach or suggest striking or squeezing a contact element to relieve workplace stress. On the contrary, Allard is specifically directed to a boxing arcade game in which a punching bag is used to generate a score in exchange for a player paying money to play the game (Allard at column 3, lines 14-16). Therefore, claim 1 is not anticipated by Allard and is believed to be in condition for allowance.

Claims 2-5 depend from, and add further limitations to, claim 1. Since these claims depend from a claim believed to be in condition for allowance, these claims are also believed to be in condition for allowance. Additionally, claim 5 includes the limitation of a sound-producing device in which a selected sound is recorded on a memory unit and striking the contact element causes the sound-producing device to emit the selected sound. This specific limitation is not taught in Allard. Therefore, for all of the above reasons, claims 2-5 are not anticipated by Allard.

Independent claim 6, as amended, is directed to a method of relieving workplace stress comprising the steps of mounting a stress relief device at a workplace operator's station. The stress relief device comprises a support and a contact element movably mounted on the support. The method includes contacting the contact element to relief workplace stress.

As discussed above, Allard is totally unrelated to the field of relieving workplace stress. Allard is directed to an arcade boxing game in which a player pays money to play the Allard game and achieve a score. Allard does not teach or suggest mounting a stress relief device at a workplace operator's station. The Allard device is specifically

disclosed as used in an arcade or gaming environment. Additionally, Allard does not teach or suggest contacting the contact element to relieve workplace stress. Rather, the whole thrust of Allard is an amusement or gaming device to achieve a score. Therefore, claim 6 is not anticipated by Allard.

Claims 7-10 depend from, and add further limitations to, claim 6. Since these claims depend from a claim believed to be in condition for allowance, these claims are also believed to be in condition for allowance. Additionally, claim 7 includes the limitation of removably mounting the stress relief device on or adjacent a computer monitor at the operator's station. In each of the Allard embodiments, the Allard punching bag appears to be fixedly mounted to the Allard arcade game. Therefore, for all of the above reasons, claims 7-10 are not anticipated by Allard.

Independent claim 19, as amended, is directed to a computer-related stress relief device configured to be mounted on a computer component at an operator's station of a workplace computer system to relieve operator stress due to operation of the workplace computer system. The device includes a support having a connector that is releasably engageable with the computer component and a punching bag contact element removably mounted on the support. The contact element includes a sound-producing device and display indicia. The contact element is configured to be contacted by a computer operator to relieve stress caused by operation of the workplace computer system.

Again, Allard is not directed to the field of business workstations nor to the relief of computer related workplace stress. Nor does Allard teach or suggest a support having a connector that is releasably engageable with the computer component. In each of the Allard embodiments, the Allard punching bag appears fixedly mounted to the support. Therefore, claim 19 is not anticipated by Allard.

Independent claim 20, as amended, is directed to a workplace computer system comprising a workstation having a computer component. A support having a first end and a second end is connectable with the computer component. A punching bag contact element is movably connected to the support and is configured to be contacted by an operator of the workplace computer system to relieve workplace stress caused by operation of the computer system.

As discussed above, Allard is directed specifically to the field of arcades and entertainment games and does not teach or suggest a workplace computer system as claimed in claim 20. Specifically, Allard does not teach or suggest a workstation having a computer component. Rather, Allard specifically teaches an arcade boxing game which is not equivalent to a conventional workstation. Nor does Allard teach or suggest the claimed workplace computer system in which the contact element is configured to be contacted by an operator of the workplace computer system to relieve workplace stress caused by operation of the computer system. Therefore, claim 20 is not anticipated by Allard.

Claim 21 depends from claim 20 and is believed allowable for substantially the same reasons as discussed above with respect to claim 20.

Rejections Under 35 U.S.C. § 103

Claim 5 stands rejected for obviousness over the teachings of Allard. While the Examiner admits that Allard does not expressly disclose recording selected sounds on a memory unit, the Examiner contends that it would be obvious to one of ordinary skill in the art to modify the Allard arcade game to incorporate this limitation. Firstly, Applicant respectfully disagrees with the Examiner's contention. The Allard arcade game is specifically directed to a boxing game in which a player simulates boxing an opponent in exchange for money. There would be no motivation to modify Allard to record selected sounds on a memory unit since the only sounds applicable to the Allard boxing arcade game

would be those associated with a boxing event. Additionally, even if one were to accept the Examiner's contention, it would simply result in another arcade boxing game and would not result in the claimed method of relieving computer-related workplace stress for the operator of a workplace computer system, as claimed in claim 1. Since claim 5 depends from claim 1, claim 5 is believed allowable for substantially the same reasons as discussed above for claim 1.

Claims 11-14, 16, and 17 stand rejected for obviousness over the teachings of U.S. Patent No. 5,297,768 to Denton in view of the teachings of U.S. Patent No. 2,661,212 to Hilton. In view of the above amendments and the following remarks, reconsideration of these rejections is respectfully requested.

Independent claim 11, as amended, is directed to an interactive computer-related stress relief device configured to be mounted on a computer component of a workplace computer system to relieve computer related workplace stress of a computer operator. The device comprises a support connectable with the workplace computer component and a contact element connected to the support.

Denton discloses a copyholder 10 for attaching a sheet of paper 85 to a computer. Hilton is directed to a conventional punching bag having an improved connector to alleviate the problem of repeatedly wearing out and replacing the punching bag connectors. The Examiner contends that it would be obvious to one of ordinary skill in the art to attach a punching bag, such as that disclosed to Hilton, to the paper holder of Denton to arrive at the claimed invention. Applicant respectfully disagrees. Firstly, Applicant does not believe one of ordinary skill in either the boxing art or the computer art would make such a combination, particularly in view of the fact that the weight of a conventional punching bag, such as that of Hilton, is such that it would break or render inoperative conventional paper holders, such as that in Denton. Additionally, neither reference even remotely suggests such a combination.

Denton is specifically directed to holding a sheet of paper at a desired viewing angle (Denton at column 1, lines 64-66). There is absolutely no teaching or suggestion in Denton to use the Denton paper holder to attach a punching bag to a computer. Additionally, Hilton is directed to conventional punching bags used in boxing and does not even remotely teach or suggest attaching such a punching bag to a computer nor to using a computer paper holder to attach a punching bag to a workplace computer system. Therefore, claim 11 is believed patentable over the teachings of the Denton and Hilton combination. Reconsideration of the rejection of claim 11 is respectfully requested.

Claims 12-14, 16, and 17 depend from, and add further limitations to, claim 11. Since these claims depend from a claim believed to be in condition for allowance, these claims are also believed to be in condition for allowance. Additionally, claim 17 includes the limitation that the contact element is a punching bag movably connected to the support and includes a sound-producing device. Neither the Denton paper holder nor the Hilton punching bag teaches or suggests the claimed stress relief device for a workplace computer system in which a punching bag is movably connected to a support and includes a sound-producing device. Therefore, for all of the above reasons, claims 12-14, 16, and 17 are believed patentable over the Denton and Hilton combination.

Claim 15 stands rejected for obviousness over the combined teachings of Denton, Hilton, and Allard. In view of the above amendments and the following remarks, reconsideration of this rejection is respectfully requested.

Claim 15 depends from claim 11 and includes the limitation that the contact element includes a sound-producing device. The Examiner is essentially combining bits and pieces of the Allard arcade boxing game, the Denton paper holder, and the Hilton punching bag to purportedly render obvious the claimed device for relieving computer-related workplace stress. Firstly, Applicant respectfully disagrees with this combination. There is no

teaching or suggestion in the references for making such a combination and Applicant does not believe one of ordinary skill in either the computer arts or the arcade game arts or the boxing arts would fairly make such a combination. Additionally, even if such a combination were made, it would not result in the claimed computer-related stress relief device to relieve computer-related workplace stress for the operator of a workplace computer system. Specifically, none of the cited references, either alone or in combination, fairly teaches or suggests a stress relief device mounted on a workplace computer system to relieve computer related workplace stress. At best, such a combination would result in an arcade boxing game with the punching bag attached by a paper holder. Therefore, claim 15 is believed patentable over the Denton, Hilton, and Allard combination.

Claim 18 stands rejected for obviousness over the teachings of Denton and Hilton in view of the teachings of U.S. Patent No. 6,234,940 to Fotsis.

Claim 18 depends from claim 11 and includes the limitation that the contact element includes display indicia. Denton and Hilton have been discussed above. Fotsis discloses a martial arts or boxing training bag that simulates the impact response of a human body when struck by a punch or kick. While Fotsis does disclose that the outer covering material 34 of the bag can be depicted with imprinted indicia 36 (such as graphical designs, symbols, logos, or words), the combination of Denton, Hilton, and Fotsis would still not arrive at the claimed computer-related workplace stress relief device of claim 11. Specifically, none of the references, either alone or in combination, fairly teaches or suggests the stress relief device mounted on a computer component of a workplace computer system to relieve computer-related workplace stress for the operator of the computer system. Therefore, claim 18 is believed patentable over the cited combination. Reconsideration of the rejection of claim 18 is respectfully requested.

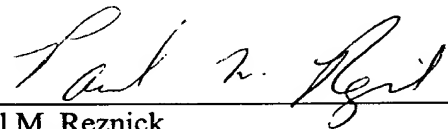
Conclusion

In view of the above amendments and remarks, Applicant believes claims 1-21, as amended, are patentable over the cited prior art and are in condition for allowance. Reconsideration of the rejections and allowance of claims 1-21 are respectfully requested.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By



Paul M. Reznick
Registration No. 33,059
Attorney for Applicant
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com



COPY OF PAPERS
ORIGINALLY FILED

Serial No. 09/813,743
Attorney Docket No. 3583-010363

Marked-Up Version of the Claims

1. (Amended) A method of relieving computer-related workplace stress for the operator of a workplace computer system, comprising the steps of:

connecting a stress relief device to a computer component of a workstation computer system, the stress relief device comprising a support and a contact element connected to the support; and

striking or squeezing the contact element to relieve workplace stress.

3. (Amended) The method of claim 2, wherein the contact element is a punching bag[-shaped] and the method includes striking the contact element.

6. (Amended) A method of relieving workplace stress, comprising the steps of:

mounting a stress relief device at [an] a workplace operator station, the stress relief device comprising a support and a contact element movably mounted on the support; and

contacting the contact element to relieve workplace stress.

10. (Amended) The method of claim 6, wherein the contact element is a punching bag[-shaped] and the method includes:

attaching the support to a computer monitor at the operator station such that the contact element is spaced from the monitor; and

striking the contact element to relieve or reduce stress.

11. (Amended) An interactive computer-related stress relief device configured to be mounted on a computer component of a workplace computer system to relieve computer-related workplace stress of the computer operator, the device comprising:

a support connectable with the workplace computer component; and
a contact element connected to the support.

16. (Amended) The device of claim 11, wherein the contact element is a punching bag[-shaped].

17. (Amended) The device of claim 11, wherein the support is an elongated, rigid member having at least one connector configured to releasably engage at least one engagement element on the computer component, wherein the contact element is a punching bag[-shaped] and is movably connected to the support at a position spaced from the connector, and wherein the contact element includes a sound-producing device.

19. (Amended) A computer-related stress relief device configured to be mounted on a computer component at an operator station of a workplace computer system to relieve operator stress due to operation of the workplace computer system, the device comprising:

a support having a connector that is releasably engageable with the computer component; and

a punching bag[-shaped] contact element movably mounted on the support and spaced from the connector, the contact element including a sound-producing device and display indicia, the contact element configured to be contacted by a computer operator to relieve stress caused by operation of the workplace computer system.

20. (Amended) A workplace computer system, comprising:

a workstation having a computer component [having an engagement element];

a support having a first end and a second end, with a connector located at or near the first end and [releasably] connectable with [the engagement element on] the computer component; and

a punching bag[-shaped] contact element movably connected to the support at or near the second end, the contact element configured to be contacted by an operator of the workplace computer system to relieve workplace stress caused by operation of the computer system.